

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

---

Lynne Nill, et al.,  
Plaintiffs

vs

Perrigo Sales Corporation, et. al.,  
Defendants

Case No. C-1-01-755  
(Beckwith, J.)  
(Hogan, M.J.)

---

**ORDER**

---

This matter is before the Court on the Joint Motion for Extension of Rebuttal Expert Disclosure Deadline (Doc. 40). The parties jointly request an extension of the deadline for the contemporaneous disclosure of rebuttal expert witnesses until one week following the completion of Dr. Woo's deposition.

The parties represent that they are currently involved in active settlement negotiations and have previously agreed to postpone the deposition of Plaintiffs' expert witness, Dr. Woo.<sup>1</sup> In light of settlement negotiations, the parties wish to postpone the deadline for submitting contemporaneous rebuttal witness disclosures until one week following Dr. Woo's deposition. The parties have provided the Court with no specific time frame for the rescheduled deposition of Dr. Woo, stating only that they intend to immediately take Dr. Woo's deposition in the event settlement negotiations fail. While the Court does not wish to impede settlement negotiations, it cannot in good conscience consent to such a vague extension of deadlines. Thus, to the extent the parties wish to extend the deadline for submitting contemporaneous rebuttal witness disclosures past the January 3,

---

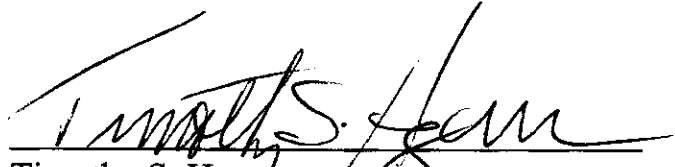
<sup>1</sup> The Court assumes the parties' "previous agreement" to postpone Dr. Woo's deposition refers to the December 16, 2004 scheduled deposition date.

2005 deadline, the Court GRANTS the Joint Motion. The parties shall have up to, and including, February 1, 2005 in which to submit their contemporaneous rebuttal witness disclosures. This extension is granted with the intention that the parties shall have approximately two additional weeks in which to complete any outstanding discovery, while keeping the discovery deadline of February 21, 2005 intact.

SO ORDERED.

Date:

12/29/04

  
\_\_\_\_\_  
Timothy S. Hogan  
United States Magistrate Judge